



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**MONDAY
JULY 24, 2000**

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17-00

DS:ds

The meeting was called to order at 9:40 a.m., with all Members being present with the exception of Supervisor Bulova and Supervisor McConnell, and with Chairman Hanley presiding.

Supervisor Bulova was absent for the entire meeting.

Supervisor McConnell arrived at 10 a.m.

Others present were Anthony H. Griffin, County Executive; David P. Bobzien, County Attorney; Catherine A. Chianese, Assistant to the County Executive; Christina M. Manning, Assistant to the County Executive; Nancy Vehrs, Clerk to the Board of Supervisors; and Patti M. Hicks, Deputy Clerk to the Board of Supervisors.

BOARD MATTERS

1. **ABSENCE OF SUPERVISOR BULOVA** (Tape 1)

Chairman Hanley announced that Supervisor Bulova was traveling on behalf of the Northern Virginia Regional Commission and would not be present at the meeting today.

2. **MOMENT OF SILENCE** (Tape 1)

Supervisor Mendelsohn asked everyone to keep in thoughts and prayers the family of Charlie White, long-time administrative assistant chief-of-staff to Congressman Frank Wolfe, who died of cancer the past week.

Supervisor Connolly asked everyone to remember in thoughts the family of Gary Kuykendall who died last week.

AGENDA ITEMS

3. **CERTIFICATE OF RECOGNITION PRESENTED TO COLUMBIA LIGHTHOUSE FOR THE BLIND AND THE FAIRFAX COUNTY PUBLIC LIBRARY** (Tape 1)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved approval of the Certificate of Recognition presented to Columbia Lighthouse for the Blind and the Fairfax County Public Library for their partnership in creating a computer summer camp to train students who are blind or visually impaired. Vice-Chairman Hyland seconded the motion and it carried by a vote of eight, Supervisor McConnell not yet having arrived, Supervisor Bulova being absent.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

4. **CERTIFICATE OF RECOGNITION PRESENTED TO YOUTHS PARTICIPATING IN THE AMERICANS WITH DISABILITIES ACT TORCH RELAY** (Tape 1)

Supervisor Connolly moved approval of the Certificate of Recognition presented to youths participating in the Americans with Disabilities Act Torch Relay in honor of the tenth anniversary of the Americans with Disabilities Act. Supervisor Mendelsohn and Supervisor Gross jointly seconded the motion and it carried by a vote of eight, Supervisor McConnell not yet having arrived, Supervisor Bulova being absent.

5. **CERTIFICATE OF RECOGNITION PRESENTED TO MR. FRANK DUTTON** (Tape 1)

Supervisor Mendelsohn moved approval of the Certificate of Recognition presented to Mr. Frank Dutton for his volunteer efforts spanning 17 years. Supervisor Gross, Chairman Hanley, and Supervisor Kauffman multiply seconded the motion and it carried by a vote of seven, Supervisor Hyland being out of the room, Supervisor McConnell not yet having arrived, Supervisor Bulova being absent.

6. **RESOLUTION TO RECOGNIZE THE NATIONAL CAPITAL CHAPTER OF THE AMERICAN RED CROSS** (Tape 1)

Supervisor Connolly moved approval of the Resolution to recognize the National Capital Chapter of the American Red Cross to mark its ninety-fifth anniversary. Supervisor Kauffman, Supervisor McConnell, and Supervisor Mendelsohn multiply seconded the motion and it carried by a vote of seven, Supervisor Frey and Supervisor Hyland being out of the room, Supervisor Bulova being absent.

7. **CERTIFICATE OF RECOGNITION PRESENTED TO DR. LORETTA WEBB** (Tape 1)

Supervisor Hudgins moved approval of the Certificate of Recognition presented Dr. Loretta Webb upon her retirement as Superintendent of Area Three Schools. Supervisor Connolly and Supervisor Mendelsohn jointly seconded the motion and it carried by a vote of nine, Supervisor Bulova being absent.

8. **CERTIFICATE OF RECOGNITION PRESENTED TO DR. JOAN VOLPE** (Tape 1)

Supervisor Hyland moved approval of the Certificate of Recognition presented to Dr. Joan Volpe upon her retirement as Deputy Director of the Fairfax-Falls Church Community Services Board. Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor Bulova being absent.

9. **CERTIFICATE OF RECOGNITION PRESENTED TO MEMBERS OF THE FAIRFAX FAIR SNEAK PEEK COMMITTEE** (Tape 1)

Supervisor Connolly moved approval of the Certificate of Recognition presented to members of the Fairfax Fair Sneak Peek Committee for their planning of the event. Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor Bulova being absent.

DAM:dam

10. **10 A.M. - APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS, AND ADVISORY GROUPS (BACs)** (Tape 2)

(BACs)

(APPTS)

Chairman Hanley announced that she had consulted with Supervisor Bulova who had agreed that the Board should proceed with appointments to BACs in her absence.

ADVISORY SOCIAL SERVICES BOARD

Chairman Hanley moved the reappointment of Ms. Ellen Graves as the At-Large (Chairman's) Representative to the Advisory Social Services Board. Supervisor Hyland seconded the motion, which carried by a vote of nine, Supervisor Bulova being absent.

Supervisor Frey moved the reappointment of Ms. Pamela Cave as the Sully District Representative to the Advisory Social Services Board. Supervisor Connolly seconded the motion, which carried by a vote of nine, Supervisor Bulova being absent.

The appointments of the Lee, Mount Vernon, and Springfield District Representatives to the Advisory Social Services Board were deferred.

AIRPORTS ADVISORY COMMITTEE

The appointment of the Hunter Mill (Business) District Representative to the Airports Advisory Committee was deferred.

ALCOHOL SAFETY ACTION PROGRAM LOCAL POLICY BOARD

The appointments of two At-Large Representatives to the Alcohol Safety Action Program Local Policy Board were deferred.

ARCHITECTURAL REVIEW BOARD

Supervisor Hudgins moved the reappointment of Mr. James V. Allred as an At-Large (Architect) Representative to the Architectural Review Board. Supervisor Hyland seconded the motion, which carried by a vote of nine, Supervisor Bulova being absent.

Chairman Hanley moved the reappointment of Ms. Susan W. Notkins as an At-Large (Architect) Representative to the Architectural Review Board. Supervisor Hyland seconded the motion, which carried by a vote of nine, Supervisor Bulova being absent.

Supervisor Frey moved the reappointment of Mr. Mark Searle as an At-Large Representative to the Architectural Review Board. Supervisor Hyland seconded the motion, which carried by a vote of nine, Supervisor Bulova being absent.

Supervisor Gross moved the reappointment of Ms. Helen Tidball as an At-Large (Historian) Representative to the Architectural Review Board. Supervisor Connolly seconded the motion, which carried by a vote of nine, Supervisor Bulova being absent.

ATHLETIC COUNCIL

Supervisor Connolly moved the reappointment of Mr. Frank E. Williams, III as the Providence District (Alternate) Representative to the Athletic Council. This motion, the second to which was inaudible, carried by a vote of nine, Supervisor Bulova being absent.

The appointment of the Dranesville District (Alternate) Representative to the Athletic Council was deferred.

CONFIRMATION:

Supervisor Connolly moved that the Board confirm the appointment of Mr. C. McClain Haddow as the Youth Basketball Representative to the Athletic Council. This motion, the second to which was inaudible, carried by a vote of nine, Supervisor Bulova being absent.

CHARACTER COUNTS! TASK FORCE

Supervisor McConnell moved the appointment of Mr. Timothy J. Bowen as the Springfield District Representative to the Character Counts! Task Force. Supervisor Hudgins seconded the motion, which carried by a vote of nine, Supervisor Bulova being absent.

The appointment of the Hunter Mill District Representative to the Character Counts! Task Force was deferred.

CHILD CARE ADVISORY COUNCIL

Supervisor Mendelsohn moved the reappointment of Ms. Abby G. Knutsen as the Dranesville District Representative to the Child Care Advisory Council. Supervisor Connolly seconded the motion, which carried by a vote of nine, Supervisor Bulova being absent.

Supervisor Hudgins moved the reappointment of Ms. Bernice A. Mayfield as the Hunter Mill District Representative to the Child Care Advisory Council. Supervisor Connolly seconded the motion, which carried by a vote of nine, Supervisor Bulova being absent.

Supervisor Kauffman moved the appointment of Ms. Jane S. Dion as the Lee District Representative to the Child Care Advisory Council. Supervisor Connolly seconded the motion, which carried by a vote of nine, Supervisor Bulova being absent.

The appointments of the Mason and Springfield District Representatives to the Child Care Advisory Council were deferred.

COMMISSION FOR WOMEN

The appointment of the Hunter Mill District Representative to the Commission for Women was deferred.

COMMISSION ON AGING

Supervisor Kauffman moved the appointment of Mr. Fred S. Hoffman as the Lee District Representative to the Commission on Aging. Supervisor Connolly seconded the motion, which carried by a vote of nine, Supervisor Bulova being absent.

COMMUNITY ACTION ADVISORY BOARD

The appointments of the Mason, Mount Vernon, and Springfield District Representatives to the Community Action Advisory Board were deferred.

CONFIRMATION:

Chairman Hanley moved that the Board confirm the following appointments to the Community Action Advisory Board:

- Mr. Glenn Stroup as the Federation of Citizens Associations Representative
- Mr. John Reed as the League of Women Voters Representative

Supervisor Hyland seconded the motion, which carried by a vote of nine, Supervisor Bulova being absent.

COMMUNITY IMPROVEMENT COMMITTEE

Following discussion regarding the mission of the Community Improvement Committee, with input from Anthony H. Griffin, County Executive, the appointments of the Braddock, Dranesville, Mason (Fairdale Community), Providence, Springfield, and Sully District Representatives to the Community Improvement Committee were deferred.

CONSUMER PROTECTION COMMISSION

Supervisor Connolly moved the reappointment of Mr. Paul Bellamy as the At-Large Resident Representative to the Consumer Protection Commission. Chairman Hanley seconded the motion, which carried by a vote of nine, Supervisor Bulova being absent.

The appointment of an At-Large Resident Representative to the Consumer Protection Commission was deferred.

CRIMINAL JUSTICE ADVISORY BOARD

Supervisor Kauffman moved the reappointment of Ms. Joy M. Bryan as the Lee District Representative to the Criminal Justice Advisory Board. Supervisor Hyland seconded the motion, which carried by a vote of nine, Supervisor Bulova being absent.

Supervisor Connolly moved the reappointment of Mr. Thomas J. Conway, Senior as the Providence District Representative to the Criminal Justice Advisory Board. Chairman Hanley seconded the motion, which carried by a vote of nine, Supervisor Bulova being absent.

Supervisor McConnell moved the reappointment of Mr. Michael J. Keenan as the Springfield District Representative to the Criminal Justice Advisory Board.

Supervisor Hyland seconded the motion, which carried by a vote of nine, Supervisor Bulova being absent.

The appointments of the At-Large and Braddock District Representatives to the Criminal Justice Advisory Board were deferred.

CONFIRMATION

Supervisor Hyland moved that the Board confirm the appointment of First Lieutenant Graham McIntyre as the Sheriff's Office (Alternate) Representative to the Criminal Justice Advisory Board.

Supervisor Connolly seconded the motion, which carried by a vote of nine, Supervisor Bulova being absent.

ECONOMIC DEVELOPMENT AUTHORITY

Chairman Hanley moved the reappointment of Mr. Emmitt J. McHenry as an At-Large Citizen Representative to the Economic Development Authority. Supervisor Connolly seconded the motion, which carried by a vote of nine, Supervisor Bulova being absent.

ENVIRONMENTAL QUALITY ADVISORY COUNCIL

Supervisor Frey moved the appointment of Ms. Tanis Skislak as the Sully District Representative to the Environmental Quality Advisory Council. Supervisor Connolly seconded the motion, which carried by a vote of nine, Supervisor Bulova being absent.

CONFIRMATION

Supervisor Hyland moved that the Board confirm the appointment of Ms. Savanna Lyons as the Student Representative (2000–2001 school year term) to the Environmental Quality Advisory Council.

Supervisor Connolly seconded the motion, which carried by a vote of nine, Supervisor Bulova being absent.

FAIRFAX AREA DISABILITY SERVICES BOARD

The appointments of the At-Large and Springfield District Representatives to the Fairfax Area Disability Services Board were deferred.

FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD

[NOTE: In accordance with *Virginia Code* Section 37.1-195, “prior to any appointment to (this) Board, the appointing authority shall disclose and make available to the public the names of those persons being considered for appointment. The appointing authority shall also make information on the candidates available to the public, if such information is available to the appointing authority.”]

The announcement of the nomination of the Mason District Representative to the Fairfax-Falls Church Community Services Board was deferred.

HEALTH SYSTEMS AGENCY BOARD

The appointment of an At-Large (Consumer) Representative to the Health Systems Agency Board was deferred.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent to direct staff to check on the disclosure requirement for a former Representative to the Health Systems Agency Board. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

HISTORY COMMISSION

The appointment of an At-Large (Architect) Representative to the History Commission was deferred.

HUMAN RIGHTS COMMISSION

Supervisor Frey moved the reappointment of Mr. Anthony J. Weaver as an At-Large Representative to the Human Rights Commission. Supervisor McConnell seconded the motion, which carried by a vote of nine, Supervisor Bulova being absent.

Supervisor Hyland moved the reappointment of Ms. Lynn D. Clark as an At-Large Representative to the Human Rights Commission. Supervisor Gross seconded the motion, which carried by a vote of nine, Supervisor Bulova being absent.

Chairman Hanley moved the reappointment of Mr. Victor Dunbar as an At-Large Representative to the Human Rights Commission. Supervisor Connolly seconded the motion, which carried by a vote of nine, Supervisor Bulova being absent.

HUMAN SERVICES COUNCIL

Supervisor Mendelsohn moved the appointment of Ms. Winifred A. Pizzano as a Dranesville District Representative to the Human Services Council. Supervisor Hyland seconded the motion, which carried by a vote of nine, Supervisor Bulova being absent.

Supervisor Mendelsohn asked unanimous consent that the Board direct staff to invite Mr. Robert Andrews, former Dranesville District Representative to the Human Services Council, to appear before the Board to receive recognition for his long-standing role on the Council and his contributions to the community. Without objection, it was so ordered.

Supervisor Hudgins moved the reappointment of Mr. Henry B. Latimer as a Hunter Mill District Representative to the Human Services Council. Supervisor Connolly seconded the motion, which carried by a vote of nine, Supervisor Bulova being absent.

Supervisor Gross moved the appointment of Dr. Celeste Campbell to fill the unexpired term of Mr. Miguel R. Rovira as a Mason District Representative to the Human Services Council. Supervisor Connolly seconded the motion, which carried by a vote of nine, Supervisor Bulova being absent.

Supervisor McConnell moved the reappointment of Dr. Gangadhar Kori as a Springfield District Representative to the Human Services Council. Supervisor Hyland seconded the motion, which carried by a vote of nine, Supervisor Bulova being absent.

The appointments of Lee, Springfield, and Sully District Representatives to the Human Services Council were deferred.

INDUSTRIAL DEVELOPMENT AUTHORITY

The appointment of an At-Large Representative to the Industrial Development Authority was deferred.

INFORMATION TECHNOLOGY POLICY ADVISORY COMMITTEE

The appointments of the At-Large and Mount Vernon District Representatives to the Information Technology Policy Advisory Committee were deferred.

CONFIRMATION

Supervisor Connolly moved that the Board confirm the appointment of Mr. Thomas G. Haser as the Fairfax County Chamber of Commerce Representative to the Information Technology Policy Advisory Committee. Supervisor Hyland seconded the motion, which carried by a vote of nine, Supervisor Bulova being absent.

LIBRARY BOARD

The appointment of the Sully District Representative to the Library Board was deferred.

NORTHERN VIRGINIA REGIONAL COMMISSION (formerly the Northern Virginia Planning District Commission)

Supervisor Kauffman moved the appointment of Ms. Alice Keane Putman as an At-Large (Resident of Fairfax County) Representative to the Northern Virginia

Regional Commission. Supervisor Hyland seconded the motion, which carried a vote of nine, Supervisor Bulova being absent.

NORTHERN VIRGINIA TRANSPORTATION COORDINATING COUNCIL CITIZEN ADVISORY COMMITTEE

The appointments of two At-Large Representatives to the Northern Virginia Transportation Coordinating Council Citizen Advisory Committee were deferred.

OVERSIGHT COMMITTEE ON DRINKING AND DRIVING

The appointments of two At-Large Representatives to the Oversight Committee on Drinking and Driving were deferred.

ROAD VIEWERS BOARD

The appointments of two At-Large Representatives to the Road Viewers Board were deferred.

ROUTE 28 HIGHWAY TRANSPORTATION DISTRICT ADVISORY BOARD

The appointment of the Resident/Owner (Route 28 District) Representative to the Route 28 Highway Transportation District Advisory Board was deferred.

TENANT LANDLORD COMMISSION

Supervisor Hudgins moved the appointment of Mr. Charles V. Smith to fill the unexpired term of Ms. Carla Breitenbach as an At-Large Condo Owner Representative to the Tenant Landlord Commission. Supervisor Gross seconded the motion, which carried by a vote of nine, Supervisor Bulova being absent.

The appointments of the At-Large (Landlord), At-Large (Tenant Member), and At-Large (Citizen Member) Representatives to the Tenant Landlord Commission were deferred.

TRANSPORTATION ADVISORY COMMISSION

Chairman Hanley moved the reappointment of Mr. George Barker as the At-Large (Chairman's) Representative to the Transportation Advisory Commission. Supervisor Hyland seconded the motion, which carried by a vote of nine, Supervisor Bulova being absent.

The appointments of the Hunter Mill and Providence District Representatives to the Transportation Advisory Commission were deferred.

TREE COMMISSION

The appointment of the Sully District Representative to the Tree Commission was deferred.

UNIFORMED RETIREMENT SYSTEM

Supervisor Hyland moved the reappointment of Mr. Vincent J. Bollon as an At-Large Citizen Representative to the Uniformed Retirement System. Supervisor Kauffman seconded the motion, which carried by a vote of nine, Supervisor Bulova being absent.

CONFIRMATION

Supervisor Hyland moved that the Board confirm the appointment of Lieutenant Harry E. Scott as the Fire and Rescue Representative to the Uniformed Retirement System. Supervisor Kauffman seconded the motion, which carried by a vote of nine, Supervisor Bulova being absent.

VOLUNTEER FIRE COMMISSION

CONFIRMATION

Supervisor Connolly moved that the Board confirm the appointment of Mr. John "Pete" Kirby as the At-Large Representative to the Volunteer Fire Commission. Supervisor Hyland seconded the motion, which carried by a vote of nine, Supervisor Bulova being absent.

AD-HOCS

ANIMAL CARE AND CONTROL COMMITTEE

The appointment of the Mason District Representative to the Animal Care and Control Committee was deferred.

DULLES CORRIDOR LAND USE TASK FORCE

Supervisor Mendelsohn clarified that Ms. Sheila Olem resigned from her position as Dranesville District Representative to the Dulles Corridor Land Use Task Force to accept the position as the Town of Herndon Representative. Supervisor Mendelsohn moved the:

- Appointment of Mr. Stephen DeSimone to fill the unexpired term of Ms. Sheila Olem as the Dranesville District Representative to the Dulles Corridor Land Use Task Force.

- Board confirmation of the appointment of Ms. Sheila Olem as the Town of Herndon Representative to the Dulles Corridor Land Use Task Force.

Chairman Hanley seconded the motion, which carried by a vote of nine, Supervisor Bulova being absent.

WESTERN FAIRFAX VRE STATION STUDY TASK FORCE

The appointment of the At-Large Representative to the Western Fairfax VRE Station Study Task Force was deferred.

ADDITIONAL APPOINTMENT

11. **WETLANDS BOARD**

Supervisor Kauffman moved the appointment of Ms. Anna M. Gerstenberger to fill the unexpired term of the late Mr. Charles O. Handley, Jr. as the Lee District Representative to the Wetlands Board. The motion, the second to which was inaudible, carried by a vote of nine, Supervisor Bulova being absent.

DMB:dmb

12. **ADMINISTRATIVE ITEMS** (Tapes 2-3)

Supervisor Connolly moved approval of the Administrative Items. Supervisor Hyland seconded the motion.

Supervisor Gross called the Board's attention to Admin 5 - Supplemental Appropriation Resolution AS 01017 for The Women's Business Center Grant Program and discussion ensued with input from Linda H. Blake, Program Manager, Office for Women. Because of the serious problems and difficulty in finding a site for the Women's Business Center, Supervisor Gross urged that the search for a site be a priority of the Office for Women.

The question was called on the motion to approve the Administrative Items, which carried by a vote of nine, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Bulova being absent.

ADMIN 1 – STREETS INTO THE SECONDARY SYSTEM (PROVIDENCE DISTRICTS)

- (R) Approved the request that the streets listed below be accepted into the State Secondary System:

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Williams Hill II	Providence	Idylwood Road Route 695

ADMIN 2 – EXTENSION OF REVIEW PERIODS FOR PUBLIC FACILITY 2232 REVIEW APPLICATIONS (BRADDOCK, DRANESVILLE, HUNTER MILL, LEE, MASON, MOUNT VERNON, AND SULLY DISTRICTS)

Authorized the extension of review periods for the following Public Facility (2232) Review Applications to the dates noted:

- Application 2232-L00-18 to October 9, 2000
- Application FS-M00-72 to October 21, 2000
- Application FS-H00-73 to October 23, 2000
- Application FSA-L96-2-1 to October 23, 2000
- Application 2232A-D00-4-1 to October 27, 2000
- Application FS-M00-74 to November 5, 2000
- Application FS-V00-76 to November 6, 2000
- Application 2232-B00-20 to February 12, 2001
- Application FS-Y99-41 to February 20, 2001

ADMIN 3 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 97-L-060, PUBLIC COUNTRY CLUBS, INCORPORATED, AND TIMOTHY P. KAMPA (LEE DISTRICT)

(AT) Approved the request for three months of additional time for Special Exception Application SE 97-L-060 until October 12, 2000, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 4 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 91-B-014, THE SALVATION ARMY, INCORPORATED (BRADDOCK DISTRICT)

(AT) Approved the request for 24 months of additional time for Special Exception Amendment Application SEA 91-B-014 until July 9, 2002, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

**ADMIN 5 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR)
AS 01017 FOR THE WOMEN'S BUSINESS CENTER GRANT PROGRAM**

(NOTE: Earlier in the meeting there was discussion regarding this item. See page 12.)

- (SAR) Approved SAR AS 01017 in the amount of \$35,000 as the local cash match for a \$140,000 grant from the US Small Business Administration to establish the Women's Business Center in Fairfax County. The Office for Women will be part of a cooperative agreement with the Community Business Partnership and the Northern Virginia Small Business Development Center (Enterprise Center of the George Mason University) to establish the first Women's Business Center Program in Virginia, which will provide technical assistance to women business owners.

**ADMIN 6 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR)
AS 01019 FOR THE JUVENILE AND DOMESTIC RELATIONS
DISTRICT COURT SERVICES TO ACCEPT GRANT FUNDS FROM
THE VIRGINIA DEPARTMENT OF CRIMINAL JUSTICE SERVICES
TO CONTINUE THE MAXIMIZE ATTENDANCE PROGRAM (MAP),
AN INTENSIVE SUPERVISION PROGRAM FOR ADJUDICATED
TRUANTS**

- (SAR) Approved SAR AS 01019 in the amount of \$75,000 for the Juvenile and Domestic Relations District Court to support the MAP for adjudicated truants. This program provides specialized probation officers to work with adjudicated truants, their families, and school staff to increase their attendance and participation in school activities. The money will be used to continue funding for two merit-grant positions (1.5 SYE) and to provide the necessary operating supplies. The required local cash match of \$37,500 is available from the Virginia Department of Criminal Justice Services.

13. **A-1 – APPROVAL OF PROPOSED REVISIONS TO CHAPTERS ONE
AND FOUR OF THE PERSONNEL REGULATIONS RELATED TO THE
OVERTIME THRESHOLD FOR DEPUTY SHERIFFS AND OTHER
HOUSEKEEPING CHANGES** (Tape 3)

Supervisor Gross moved that the Board concur in the recommendation of staff and approve the following proposed revisions to Chapters One and Four of the Personnel Regulations:

- Adjustment of the Fair Labor Standards Act overtime threshold for Deputy Sheriffs
- Restoration of the eligibility to earn compensatory leave to Deputy and Senior Assistant County Attorneys

- Elimination of an obsolete transition provision
- Supervisor Connolly seconded the motion.

Following discussion, with input from Susan E. Woodruff, Chief, Employee Relations Division, Department of Human Resources, the question was called on the motion, which carried by a vote of nine, Supervisor Bulova being absent.

14. **A-2 – EXTENSION OF GENERAL OBLIGATION BONDS** (Tape 3)

Bonds
(R)

On motion of Supervisor Connolly, jointly seconded by Supervisor Hyland and Supervisor Hudgins, and carried by a vote of nine, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Bulova being absent, the Board concurred in the recommendation of staff and adopted the Resolution requesting the Circuit Court to order an extension of the period for issuance of County bonds authorized on November 3, 1992 from eight years to ten years.

15. **A-3 – APPROVAL OF TESTIMONY TO BE PRESENTED BEFORE THE COMMONWEALTH TRANSPORTATION BOARD (CTB) FOR VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) REGIONAL FINANCIAL PLANNING AND PROGRAMMING MEETING** (Tape 3)

Supervisor Connolly moved that the Board concur in the recommendation of staff and approve the testimony to be presented before the CTB for VDOT Regional Financial Planning and Programming meeting. Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor Bulova being absent. Chairman Hanley reminded the Board that it "deputized" her not only to present the above-referenced testimony but also for school funding, which is scheduled for Wednesday evening, July 26, 2000.

16. **I-1 – CONTRACT AWARD - ROUTE 7900/FRONTIER DRIVE SPOT IMPROVEMENT (LEE DISTRICT)** (Tape 3)

The Board next considered an item contained in the Memorandum to the Board dated July 24, 2000, requesting authorization for staff to:

- Award a contract to Tavares Concrete Company, Incorporated, in the amount of \$155,683.50 for the construction of Project 064201, Route 7900/Frontier Drive Spot Improvement, in Fund 304, Primary and Secondary Road Bond Construction.
- Reallocate funds of \$51,000 from Project 006940, Construction Reserve.

- The staff was directed administratively to proceed as proposed.
17. **I-2 – CIVIL SERVICE COMMISSION ENDORSEMENT OF REVISIONS TO CHAPTERS 12 AND 16 OF THE PERSONNEL REGULATIONS RELATED TO PAY FOR PERFORMANCE AND PROBATIONARY PERIOD FOR DEPUTY SHERIFFS AND AMENDING THE STANDARDS OF CONDUCT FOR COUNTY EMPLOYEES** (Tape 3)

The Board next considered an item contained in the Memorandum to the Board dated July 24, 2000, announcing the Civil Service Commission's endorsement of the proposed revisions to Chapters 12 and 16 of the Personnel Regulations related to pay for performance, and probationary period for deputy sheriffs, and amending the standards of conduct for County employees.

18. **I-3 – PLANNING COMMISSION ACTION ON PUBLIC FACILITY APPLICATION 2232-D00-14, BELL ATLANTIC MOBILE, INCORPORATED (DRANESVILLE DISTRICT)** (Tape 3)

The Board next considered an item contained in the Memorandum to the Board dated July 24, 2000, announcing the Planning Commission's approval of Public Facility Application 2232-D00-14.

ADDITIONAL BOARD MATTERS

19. **APPEAL BY ALBERT AND ROSALYND KEYS OF A PROFFER INTERPRETATION FOR REZONING APPLICATION RZ 94-Y-037 (SULLY DISTRICT)** (Tape 3)

(NOTE: On May 8, 2000, the Board deferred the appeal by Albert and Rosalynd Keys of a Proffer Interpretation for Rezoning Application RZ 94-Y-037 until June 5, 2000, at which time the Board deferred the appeal until June 26, 2000. On June 26, 2000, the Board deferred the appeal until July 24, 2000.)

Supervisor Frey moved to defer the Appeal by Albert and Rosalynd Keys of a Proffer Interpretation for Rezoning Application RZ 94-Y-037, until September 11, 2000, to allow additional time for review. Chairman Hanley seconded the motion, which carried by a vote of nine, Supervisor Bulova being absent.

NV:nv

20. **BUS SHELTERS AT TYSONS CORNER** (Tape 4)

Chairman Hanley stated that State Delegate Jim Scott's House Joint Resolution (HJR) 276 Committee, which met July 12, received an update regarding the installation of bus shelters, stop signs, and signage in Tysons Corner. She indicated her surprise at learning that there is considerable delay in planned design and construction of bus shelters at a number of locations that have already been approved for funding and implementation. She cited the fact that the

construction of the shelter for the intersection of Route 7 and George Marshall Drive is scheduled to take five months, July to December, even though the design has already been completed.

Noting that safety and comfort for bus riders in and around Tysons Corner is a priority and will encourage bus ridership, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved that the Board direct staff to accelerate the process so that bus shelters can be installed in a more timely manner. Vice-Chairman Hyland seconded the motion, which carried by a vote of nine, Supervisor Bulova being absent.

21. **COMMUNITY OF PROMISE** (Tape 4)

Noting that Supervisor Bulova had asked her to do so, Chairman Hanley called to the Board's attention the activities of Volunteer Fairfax (formerly the Volunteer Center of Fairfax County), relating to its involvement with the America's Promise movement. America's Promise, led by General Colin L. Powell (Ret.), represents a nationwide effort to build the character and competence of America's young people by fulfilling "Five Promises" to foster their success, both now and in the future. The Five Promises enhance the character development of the nation's youth by:

- Encouraging ongoing relationships between kids and caring adults.
- Providing children with safe places and structured activities during non-school hours.
- Ensuring a healthy start and future.
- Enhancing development of marketable skills through effective education.
- Facilitating opportunities for youth to give back through community service.

Chairman Hanley explained that a Community of Promise is a town, city, or county that commits to fulfilling all Five Promises for, and with, children and youth where they live. She noted that in January 2000 the County was designated a Community of Promise due, in large part, to the hard work of the dedicated staff of Volunteer Fairfax. It coordinates nationally with America's Promise and works locally with Fairfax Partnership for Youth, 200 other youth-friendly community organizations, and County Schools to encourage mentoring, tutoring, and youth service. Therefore, she moved that the Board formally acknowledge its support in

establishing the County as a Community of Promise. Supervisor Mendelsohn seconded the motion, which carried by a vote of eight, *Supervisor Connolly being out of the room, Supervisor Bulova being absent.

(*NOTE: Later in the meeting, Supervisor Connolly asked to be recorded as voting "AYE" on this item. See Clerk's Summary Item CL#25.)

22. **SCHOOL FIRE INSPECTIONS** (Tape 4)

While reviewing the Schools' Carryover Budget request, Chairman Hanley noted that the Schools will now be charged \$80/hour for each fire inspector who inspects school buildings, a service the County formerly provided directly. Accordingly, she moved that the Board refer this matter to staff to review why such a change occurred and whether inspections can continue to be funded in the current manner. Without objection, it was so ordered.

23. **CLASS SIZE REDUCTION FUNDS** (Tape 4)

Chairman Hanley distributed to the Board information noting that Virginia will receive class size reduction funding. She asked unanimous consent that the Board direct staff to ask the School Division whether it will receive any of the class size reduction program funding. Without objection, it was so ordered.

24. **CUSTODIAL COVERAGE FOR LIBRARIES** (Tape 4)

Chairman Hanley distributed to the Board copies of a letter from the Library Board regarding the provision of custodial services at the libraries and asked unanimous consent that the Board refer this letter to the County Executive for his review and comment. Without objection, it was so ordered.

25. **REQUEST TO RECORD VOTE** (Tape 4)

(NOTE: Earlier in the meeting, Supervisor Connolly was not present for the vote regarding the Community of Promise. See Clerk's Summary Item CL#21.)

Supervisor Connolly asked unanimous consent that he be recorded as voting "AYE" regarding the Community of Promise item. Without objection, it was so ordered.

26. **E-GOVERNMENT CONFERENCE** (Tape 4)

Chairman Hanley called to the Board's attention a memorandum from David J. Molchany, Chief Information Officer, regarding the County's Department of Information Technology's participation in the E-government (E-gov) Conference held at the Washington Convention Center July 10-13, 2000. The County's E-gov program was one of 20 government entities and one of two local governments that were selected to participate in the conference's "real world" solution center and receive a "Pioneer" award from the conference.

Chairman Hanley noted that a copy of a congratulatory letter from US Vice-President Al Gore to her was attached to the aforementioned memorandum. She indicated that she did not have the original letter and asked unanimous consent that the Board direct staff to search for the original and provide it to her. Without objection, it was so ordered.

27. **COBRA TRACK CLUB (CTC) ACTIVITIES** (Tape 4)

Chairman Hanley shared with the Board a copy of a letter from Darryl E. Hylton, Sr., Assistant Coach of the CTC, in which he explained that the CTC is a newly established USA Track and Field sanctioned, non-profit organization located in Alexandria. It competed in the recent Virginia Commonwealth Games and performed very well. Chairman Hanley circulated a photograph of the club.

28. **OPPORTUNITIES, ALTERNATIVES, AND RESOURCES (OAR)** (Tape 4)

Chairman Hanley stated that the volunteer coordinator of OAR requested that she share with the Board and publicize its volunteer training sessions, two consecutive Saturdays, September 23 and 30, 2000. OAR, a non-profit organization dedicated to helping offenders and ex-offenders make a successful transition into society, has a need for volunteers

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

DS:ds

29. **CONCURRENT PROCESSING FOR SPECIAL EXCEPTION APPLICATION SE 00-D-034** (Tape 5)

Supervisor Mendelsohn said that Dr. John Sexton is the applicant for Special Exception Application SE 00-D-034 to permit an increase in floor area ratio to .499 in a C-6 district for a veterinary hospital. The property is located in the McLean Revitalization District. The property to be developed is located at Tax Map number 30-2((4))(D), parcels 7, 8, 9 and 10. He noted that the applicant continues to work diligently with the McLean Planning Committee on this project to meet the requirements of the McLean Community Business Center.

Therefore, Supervisor Mendelsohn moved that the Board direct staff of the Department of Public Works and Environmental Services and the Department of Planning and Zoning to proceed with concurrent processing of this application. This motion does not relieve the applicant from compliance with the provisions of any and all applicable ordinances, regulations, or adopted standards and does not constitute support by the Board for the special exception application in any way. Supervisor Connolly and Supervisor Kauffman jointly seconded the motion and it carried by a vote of eight, Supervisor Hyland being out of the room, Supervisor Bulova being absent.

30. **CONSIDERATION ITEM FOR CARRYOVER REVIEW (FAIRFAX PUBLIC LAW LIBRARY)** (Tape 5)

Supervisor Mendelsohn said that the Fairfax Public Law Library has requested additional funds. In short, these funds are needed because the income from filing fees has decreased nearly 14 percent while the cost of law books has increased by over 40 percent. He stated also that the number of annual patrons and percent of non-attorney patrons has more than tripled since 1992.

Therefore, Supervisor Mendelsohn moved that the Board direct staff to add as a Consideration Item continued funding of \$37,656.77 in the Carryover Review. Supervisor McConnell seconded the motion and it carried by a vote of eight, Supervisor Hyland being out of the room, Supervisor Bulova being absent.

31. **RECENT ARTICLE IN FALLS CHURCH NEWS-PRESS REGARDING INCREASED DENSITY AT WEST FALLS CHURCH METRO SITE AND PROPOSED MEETING OF FAIRFAX COUNTY-FALLS CHURCH COMMITTEE** (Tape 5)

(BACs) Supervisor Mendelsohn said that the increased density at the West Falls Church Metro site has become an issue of great concern to Fairfax County residents who reside in close proximity to that station. A recent issue of the *Falls Church News-Press* reported that the Falls Church City Manager has brought this issue to the attention of the Falls Church City Council and had remarked that "Fairfax County and the Washington Metropolitan Area Transit Authority that runs the Metro may be moving to put air rights above its West Falls Church Metro station out to bid with the idea of future, dense commercial and residential development above the site." He added that while this is not accurate, rumors abound. In addition, the City of Falls Church has been planning dense development at the west end of its boundaries which would have a significant impact on the County residents in the surrounding area.

Supervisor Mendelsohn stated that these issues, and others which affect both Fairfax County and the City of Falls Church, should be addressed by the Fairfax County/Falls Church Committee and that such a meeting should take place in the near future to enhance communications between the two governing bodies. He said that such a meeting would be especially valuable at this time when the City of Falls Church has a new mayor.

Therefore, Supervisor Mendelsohn moved that the Board direct the County Executive, in cooperation with Committee Chair Supervisor Gross, to make every attempt to schedule a meeting of the Fairfax County/Falls Church Committee for a date in October or November of 2000, or as soon thereafter as possible, in coordination with the Supervisors who are members of that committee, and to report his progress in that undertaking to the Board at its August 7, 2000, meeting. Supervisor Connolly seconded the motion and it carried by a vote of eight, Supervisor Hyland being out of the room, Supervisor Bulova being absent.

PMH:pmh

32. **METROACCESS** (Tape 6)

Supervisor Gross noted that issues related to the effectiveness of MetroAccess were brought before the Board late last year. It has since been reported that new equipment and new computer software would hopefully stabilize the system and provide an acceptable level of service. She said that she was recently contacted by a constituent who not only reported experiencing similar problems, such as facing unpredictable and exceedingly long waits, but that the problems continue to be widespread.

Supervisor Gross said that the County ought to be at a point where it can now determine whether increases in performance have been achieved, or if there are still serious problems in service to address.

Therefore, Supervisor Gross asked unanimous consent that the Board direct staff to report with an update on the status of improvements to the MetroAccess system, and on the changes which have or have not been achieved in the level of service. Without objection, it was so ordered.

There was a brief discussion of this item.

33. **CONCURRENT PROCESSING OF THE SITE PLAN, PLAT, AND ANY OTHER ENGINEERING DOCUMENTS WITH THE SPECIAL EXCEPTION APPLICATION FILED BY BELL ATLANTIC** (Tape 6)

Supervisor Hudgins said that Bell Atlantic has submitted a special exception application for the existing telecommunications switching station facility located at 2516 Horsepen Road, Herndon. This expansion is needed to handle the increased demand for telecommunications access. The proposed expansion will allow Bell Atlantic to meet the forecasted demand of the surrounding community for data and phone lines used for cellular, paging, and computer access for home and business users.

Supervisor Hudgins moved that the Board direct staff to process the site plan, plat, and any other engineering documents concurrently with this special exception application. This motion does not relieve the applicant from complying with the provisions of any applicable ordinances, regulations, or adopted standards and does not prejudice the consideration of this application in any way. Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor Bulova being absent.

34. **INTENT TO DEFER THE PUBLIC HEARING ON REZONING APPLICATION RZ 1999-PR-045 (VIVIAN JOHNSON) (PROVIDENCE DISTRICT)** (Tape 6)

Supervisor Connolly announced his intent later in the meeting, at the appropriate time, to defer the public hearing on Rezoning Application RZ 1999-PR-045 until August 7, 2000, at 3 p.m.

(NOTE: Later in the meeting the public hearing was formally deferred. See Clerk's Summary Item CL#63.)

35. **INTENT TO DEFER THE PUBLIC HEARING ON REZONING APPLICATION RZ 1999-PR-060 (RIVER TOWERS BUILDING NUMBER THREE JOINT VENTURE) (PROVIDENCE DISTRICT)** (Tape 6)

Supervisor Connolly announced his intent later in the meeting, at the appropriate time, to defer the public hearing on Rezoning Application RZ 1999-PR-060 until August 7, 2000, at 3 p.m.

(NOTE: Later in the meeting the public hearing was formally deferred. See Clerk's Summary Item CL#73.)

36. **REQUEST FOR POLICY TO ADDRESS AFTER-HOUR PHONE CALLS** (Tape 6)

Supervisor Connolly said that it has come to his attention that citizens using the *Citizens Handbook* to contact County offices after-hours, weekends, and holidays receive inconsistent responses. Some after-hours messages invite callers to leave messages in various languages. Others provide a menu of choices of recorded information as well as the opportunity to request mailings. Still others explain that the office is closed but advise calling another number in an emergency. Then there are those offices that provide the caller with only the business hours and some do not answer at all.

Supervisor Connolly noted that the responses do not necessarily correspond to the potential for the office or agency to have to respond to a situation or incident during after-hours. Many of the citizens know to call the police non-emergency number for help in unusual situations, but there are those who would think it reasonable to call regular County numbers after hours and expect to get help or information. A Policy that standardized the response after-hours, especially for those offices with a high likelihood for after-hours response, would be helpful.

Therefore, Supervisor Connolly moved that the Board direct the County Executive to develop a Countywide Policy for after-hours phone calls that better standardizes the situation and the messages that citizens hear. Supervisor Gross seconded the motion and it carried by a vote of nine, Supervisor Bulova being absent.

37. **REQUEST FOR WAIVER OF APPLICATION FEES ASSOCIATED WITH THE SITE PLAN SUBMISSION REGARDING THE HOOES ROAD PARK** (Tape 6)

Supervisor Kauffman said that the Fairfax County Park Authority and the Springfield Youth Club (SYC) have been working together for considerable time to complete a public-private agreement to revitalize the Hooes Road Park in the Lee District. The renovation includes the re-grading of existing fields, installation of new fields, lighting, landscaping, increased parking, et cetera to improve the current park and make the facility more usable. Currently, they are prepared to submit site plans to begin the project.

SYC is a community-based, non-profit youth athletic association with no ties to any religious organization. The SYC is also tax exempt in Virginia, as approved by the Virginia General Assembly during its last session.

In light of the immense public benefit of providing more usable recreation fields for youth leagues and the substantial financial contribution SYC is pledging to the improvements, Supervisor Kauffman moved that the Board waive the application fees associated with site plan submission. This motion should not be construed as a favorable recommendation of this application by the Board and does not relieve the applicant of compliance with the provisions of any applicable ordinances, regulations, or adopted standards. Supervisor McConnell seconded the motion and it carried by a vote of nine, Supervisor Bulova being absent.

38. **SCHEDULING OF A PUBLIC HEARING REGARDING A BAN ON THROUGH TRUCK TRAFFIC ON FLAT ROCK ROAD BETWEEN FLEET DRIVE AND BEULAH STREET** (Tape 6)

- (A) Supervisor Kauffman said that residents of the Franconia Commons Community have requested consideration for a ban on through truck traffic on Flat Rock Road between Fleet Drive and Beulah Street.

Therefore, Supervisor Kauffman moved that the Board direct staff to schedule a public hearing to be held before the Board on October 16, 2000, to consider a ban on through truck traffic on Flat Rock Road between Fleet Drive and Beulah Street. Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor Bulova being absent.

39. **CONCURRENT AND SIMULTANEOUS PROCESSING FOR PROFFERED CONDITION AMENDMENT AND FINAL DEVELOPMENT PLAN AMENDMENT APPLICATION PCA/CDPA/FDPA 95-L-060** (Tape 6)

Supervisor Kauffman said that SPH Springfield Station, LLC has filed a Proffered Condition Amendment and Final Development Plan Amendment Application which is referenced as PCA/CDPA/FDPA 95-L-060. The applicant is the owner and manager of Springfield Station, which is a 631 unit rental community located

in proximity to the Springfield Mall and the Springfield Metro Station. While there is sufficient parking on the property, the parking is not equally distributed among the buildings. As a result, some tenants are unable to park in proximity to their residence, which is inconvenient, especially at night.

Supervisor Kauffman noted that the applicant has proposed that the existing tennis court and 18 parking islands be deleted and replaced with 42 parking spaces and a car care area for tenant use. This solution has been favorably received by tenants as demonstrated by a survey taken by the applicant. Given the relatively minor nature of this request, the applicant is anxious to begin the processing of a site plan. The applicant understands that the processing of the site plan will be at its own financial risk and that a motion for concurrent processing does not indicate endorsement of the application. In addition, the applicant fully intends to meet with additional members of the Springfield Station community as well as the Lee District Land Use Committee.

Therefore, Supervisor Kauffman moved that the Board direct staff to accept for concurrent and simultaneous processing a site plan and any other plans or drawings as may be necessary in conjunction with PCA/CDPA/FDPA 95-L-060. Supervisor McConnell seconded the motion and it carried by a vote of nine, Supervisor Bulova being absent.

40. **ADDITIONAL CONSIDERATION ITEM FOR CARRYOVER - FUNDING FOR THE MONDLOCH I HOMELESS SHELTER** (Tape 6)

Supervisor Kauffman asked unanimous consent that the Board direct staff to include as a Consideration Item for the Carryover Review funding for the Mondloch I Homeless Shelter in Lee District. This motion, the second to which was inaudible, carried by a vote of nine, Supervisor Bulova being absent.

NV:nv

41. **INTENT TO DEFER THE PUBLIC HEARING ON REZONING APPLICATION RZ 2000-SU-004** (Tape 7)

Supervisor Frey announced his intent to defer later in the meeting at the appropriate time the public hearing on Rezoning Application RZ 2000-SU-004 until September 25, 2000, at 3 p.m.

(NOTE: Later in the meeting, this public hearing was formally deferred. See Clerk's Summary Item CL#70.)

42. **CENTEX HOMES - SUMMIT DRIVE REZONING APPLICATION RZ 2000-SU-012** (Tape 7)

Supervisor Frey stated that Centex Homes has submitted Rezoning Application RZ 2000-SU-012 for approximately 71 acres of land north of Route 29 and west of the Fairfax County Parkway. The application proposes to rezone the subject

property from an R-1 District to a PHD-4 District. The applicant has held several meetings with the adjacent Willowmeade community and with other community groups since the application was filed. As a result of these meetings, the applicant has made significant revisions to the internal road network serving the community, which will entail relocation of the main spine road outside the existing right-of-way of Summit Drive, north of Route 29. To accommodate this redesign and to allow the former right-of-way to be included in the application, the applicant is requesting that the Board authorize the inclusion of a 1.36448-acre portion of the right-of-way of Summit Drive in Rezoning Application RZ 2000-SU-012.

Therefore, Supervisor Frey moved that the Board authorize the inclusion of approximately 1.36448 acres of the right of way of Summit Drive, bisecting Tax Map Parcel 55-4-((1))-12 and terminating at Tax Map Parcel 55-4-((1))-17, within the land area of Rezoning Application RZ 2000-SU-012. He noted that this motion does not relieve the applicant from complying with all regulations, ordinances, or adopted standards, and does not prejudice the consideration of the rezoning application or future abandonment/vacation request in any way. Supervisor McConnell seconded the motion, which carried by a vote of nine, Supervisor Bulova being absent.

43. **DEEPWOOD VETERINARY CLINIC** (Tape 7)

Supervisor Frey stated that Deepwood Veterinary Clinic has filed a special permit application to allow a veterinary clinic on six acres of land on Ordway Road. This veterinary clinic will replace the long-standing business being vacated in the middle of the Little Rocky Run community. The Board of Zoning Appeals' hearing is scheduled for mid September and the applicant has requested the authorization of concurrent processing of the site plan(s) with the special permit review so that it can relocate to the new facilities as soon as possible.

Accordingly, Supervisor Frey moved that the Board direct the Department of Public Works and Environmental Services to process the necessary site and subdivision plan(s) concurrently with the consideration of Special Permit Application SP 00-Y-040. The applicants understand that this motion will not prejudice the consideration of the applications in any way. Supervisor McConnell seconded the motion, which carried by a vote of nine, Supervisor Bulova being absent.

44. **FOLLOW UP ON PERSONAL PROPERTY TAX ISSUE** (Tape 7)

Supervisor Frey reminded the Board that on September 27, 1999, he had presented a Board Matter regarding a call from a constituent who had fallen behind in his payment of personal property taxes. The constituent contacted the Department of Taxation and developed a payment schedule. Unfortunately, County rules and regulations prohibited the issuance of a decal because the taxes had not been paid in full. Supervisor Frey had asked unanimous consent that the Board direct staff to review this situation to determine a resolution and report with

its findings. He stated his understanding that this issue had never been resolved, but the constituent received his decal once the taxes were paid in full.

Supervisor Frey stated that he has now received a call from another constituent in the same predicament. Accordingly, he asked unanimous consent that the Board direct the staff of the Department of Tax Administration to review this situation again for possible resolution of this Catch-22 situation. Without objection, it was so ordered.

45. **ANNOUNCEMENT REGARDING THE PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 7 (CENTRAL ABSENTEE VOTER ELECTION PRECINCTS), ARTICLE 2 (SPRINGFIELD DISTRICT)** (Tape 7)

Supervisor McConnell announced that the 3:30 p.m. public hearing to consider amending the County Code relating to election precincts in the Springfield District would be cancelled.

(NOTE: Later in the meeting this public hearing was formally cancelled. See Clerk's Summary Item CL#69.)

46. **OWNERSHIP OF ABANDONED CEMETERY LOT NEAR CHANCELLOR WAY** (Tape 7)

Supervisor McConnell stated that she was recently contacted by a constituent who had a tree from an abandoned cemetery lot adjacent to her home fall on her property. She said that staff attempts to locate the owner of the property were unsuccessful and tax records did not indicate an owner.

Because the Park Authority owns the land abutting three sides of this property, Supervisor McConnell moved that the County Executive initiate an investigation into the property ownership of this property, located at Tax Map 89-4-006-Lot X, located near 7516 Chancellor Way, and if none can be found, to take the necessary steps to acquire this property and turn it over to the Park Authority. Following a brief discussion, Chairman Hanley seconded the motion, which carried by a vote of nine, Supervisor Bulova being absent.

47. **TOWING** (Tape 7)

Supervisor McConnell reminded the Board that several years ago it created a commission to draw up the present towing agreement between the Police Department and towing and recovery companies in the County. She reported that the contracts are working very well; however, the State has created a small problem for the contract towing companies.

Supervisor McConnell explained that the contract requires that the towing companies notify the registered owner, as shown on current Department of Motor Vehicle (DMV) records. The DMV has limited the towers to providing only five

or six registration requests each day. This information is vital; especially when the vehicle towed must be sold for salvage, or otherwise because the owner did not claim it. One of the towers has towed 22,000 vehicles for this calendar year, of which 6,5000 vehicle will be junked for salvage. Another company has requested 1,150 owner records since the beginning of the year and, to date, has received only 170 responses.

Supervisor McConnell noted that junk cars are piling up in the storage lots. Towing contractors will soon no longer be able to tow junk vehicles for the police. She said that the Board needs to ask DMV for help in providing access to its automated records. Towing contractors need to access the vehicle information, just as car dealers do. While noting that there would have to be safeguards, fees, and records, she asserted that something must be done to remove this backlog. She said that Sergeant Pat Wimberly of the Police Department can provide details of the problem.

Accordingly, Supervisor McConnell moved that the Board authorize the Chairman to write a letter to the DMV Commissioner requesting him to initiate meetings with the Police Department to find a solution to this problem. Supervisor Connolly seconded the motion, which carried by a vote of nine, Supervisor Bulova being absent.

48. **UTILITY TOWERS VERSUS POLES** (Tape 7)

Supervisor McConnell stated that recently a matter concerning telecommunications antennas has arisen that needs remedy through a change to the Zoning Ordinance. The issue is the definition of a tower versus a pole.

Supervisor McConnell said that the issue involves utility "towers" on rights-of-ways wider than 90 feet. These "tower" structures generally are known as "high voltage power line rights-of-way." The County encourages telecommunications providers to place their antenna on these existing towers. The problem is that several years ago the power companies started using a new design for these towers. Instead of "erector set" looking structures, power companies started using "poles" that are actually taller than old towers. Under the old 90-foot towers, on the rights-of-way 100-feet or wider, the telecommunications providers can place a 240-square foot building to support the antenna. Under the 115-foot "poles" on the same rights-of-way width, they can only put a cabinet (70 cubic feet). She said that there is general agreement that the intent is to allow the buildings under the 115-foot "poles," but as they are "poles," not "towers," no one wants to approve them. Staff has suggested that the Board change the code to allow for this.

Supervisor McConnell distributed to the Board a description of the problem and drawings of the two types of structures for clarification. Accordingly, she moved that the Board direct the County Executive to initiate action to provide a amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), to allow telecommunications providers to place up to nine antennas

on Virginia Power transmission towers and/or transmission poles and place the current size buildings under them. She indicated that this would merely add two words to the existing section.

Following a brief discussion, the question was called on the motion, the second to which was inaudible, and it carried by a vote of nine, Supervisor Bulova being absent.

49. **DISTRIBUTION OF BOARD MATTER SUPPLEMENTAL INFORMATION** (Tape 7)

Supervisor McConnell stated that many times, in an effort to save time during the presentation of Board Matters, she attaches descriptive and clarifying information to the written Board Matter. She indicated that she does this so that the staff person eventually assigned has all of the details needed to follow up. However, each time she does this, her staff receives a call from the assigned person asking for information. Apparently, the effort to provide detail is not making it to the staff persons who must do the work. While it is no major problem to send the documentation, it would save time and eliminate duplication if the County Executive could forward the backup material with the assignment. The past five requests for letters or certificates assigned to Public Affairs, and the proposed signs and backup material for the Occoquan Watershed area, are recent examples of background materials not having been forwarded with the assignment.

Accordingly, she asked unanimous consent that the Board direct the County Executive to forward any attachments to Board Matters, given to the County Executive or County Attorney, which are then assigned to an agency or department for additional work, with the assignment to the person(s) who will be responsible for the product requested in the Board Matter. Without objection, it was so ordered.

50. **MR. HAROLD WILSON TO BE CONFERRED POET LAUREATE** (Tape 7)

With reference to his written Board Matter on the subject, Supervisor Hyland stated that Mr. Harold Wilson has been writing poetry about every aspect of the Lorton community. Supervisor Hyland made reference to Mr. Wilson's remarkable contributions to the community. Accordingly, Supervisor Hyland asked unanimous consent that the Board:

- Confer the title of Lorton Poet Laureate upon Mr. Wilson.
- Direct staff to invite Mr. Wilson to appear before the Board for appropriate recognition.

Without objection, it was so ordered.

51. **REC PAC - RECREATION FOR PRETTY AWESOME CHILDREN**
(Tape 7)

Supervisor Hyland stated that the Department of Recreation and Community Services has a program for children called Rec Pac, Recreation for Pretty Awesome Children. This recreation program is held in many schools during the summer and there is one in the Gunston Elementary School on Gunston Road in Mason Neck.

Supervisor Hyland noted that there are hundreds of children located approximately two miles away living along Richmond Highway who would be interesting in Rec Pac, but cannot attend because there is no sidewalk along either Richmond Highway nor Gunston Road nor is transportation provided. However, scholarships are available that could fund the transportation need.

Accordingly, Supervisor Hyland moved that the Board direct the Director of the Department of Community and Recreation Services to provide scholarship funds for transportation to and from the Richmond Highway area and Gunston Elementary School for these children. Supervisor McConnell seconded the motion, which carried by a vote of nine, Supervisor Bulova being absent.

52. **PRESENTATION OF NATIONAL ASSOCIATION OF COUNTIES**
(NACo) AWARDS (Tape 7)

Supervisor Hyland reminded the Board that at its last meeting on July 10, staff presented an Information Item informing the Board that the County had won four NACo 2000 National Achievement Awards for innovative programs. He moved that the Board direct staff to extend a formal invitation to NACo's Executive Director to appear before the Board to present the awards to the staff persons responsible for the four programs to be properly thanked and recognized as they receive their awards. Supervisor McConnell seconded the motion.

Following a brief discussion, with input from Debra Bianchi, Acting Director, Department of Public Affairs, Chairman Hanley suggested that this invitation be scheduled for August 7, 2000.

The question was called on the motion, which carried by a vote of nine, Supervisor Bulova being absent.

53. **REQUEST FOR MR. JAY JORGENSEN TO BE HONORED BY THE**
BOARD (Tape 7)

Supervisor Hyland announced that Jay Jorgensen, a long time staff member of the Park Authority, is retiring. To acknowledge Mr. Jorgensen's many years of service to the County, Supervisor Hyland asked unanimous consent that the Board invite him to appear before the Board for recognition. Without objection, it was so ordered.

54. **VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) POLICY REGARDING TELECOMMUNICATION TOWERS** (Tape 7)

Supervisor Hyland stated that VDOT has adopted a new policy concerning the location of towers in rights of way that has the effect of nullifying the Supreme Court decision that the County obtained regarding local land use authority for siting private telecommunication towers. Accordingly, he asked unanimous consent that the Board direct the County Attorney to present the new VDOT policy to the Board so that an official position on the matters could be taken.

Following a brief discussion, with input from David P. Bobzien, County Attorney, the request was so ordered.

55. **I-95/395/495 INTERCHANGE PROJECT CONGESTION MANAGEMENT PROGRAM CLARIFICATION** (Tape 7)

Chairman Hanley stated that the County's Director of Transportation sent a memorandum to the Board explaining the Congestion Management Program (CMP) on the I-95/395/495 Interchange regarding what it is and its cost. The issue was raised because of discussions regarding the cause of the cost overrun of the interchange project. She noted that the CMP is only about five percent of the current expenditure, well below the eight to ten percent national average.

A brief discussion ensued.

56. **RECESS/CLOSED SESSION** (Tape 7)

At 12 noon, Supervisor Connolly moved that the Board recess and go into closed session for discussion and consideration of matters enumerated in *Virginia Code* Section 2.1-344 and listed in the agenda for this meeting, and in addition:

- Jane Gwinn, Fairfax County Zoning Administrator versus Jefferson Green Unit Owners Association, in Chancery Number 162197.
- Dan Keefe versus Fairfax County, Virginia, United States District Court, Eastern District of Virginia, 99-1785-A.
- Virginia Erosion and Sediment Control Law relating to Lake Martin.

Supervisor Kauffman seconded the motion which carried by a vote of nine, Supervisor Bulova being absent.

Chairman Hanley announced that closed session would commence at 1:25 p.m.

At 3:05 p.m., the Board reconvened in the Board Auditorium with all Members being present, with the exception of Supervisor Bulova and Supervisor McConnell, and with Chairman Hanley presiding.

ADDITIONAL BOARD MATTER

57. **ABSENCE OF SUPERVISOR MCCONNELL** (Tape 8)

Chairman Hanley noted for the record that Supervisor McConnell was not in executive session and would not be present for the afternoon session.

ACTIONS FROM CLOSED SESSION

58. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (Tape 8)

Supervisor Frey moved that the Board certify that, to the best of its knowledge, only public business matters lawfully exempted from open meeting requirements and only such public business matters as were identified in the motion by which closed session was convened were heard, discussed, or considered by the Board during the closed session. Supervisor Kauffman seconded the motion and it carried by a vote of eight, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor McConnell being out of the room, Supervisor Bulova being absent.

59. **SETTLEMENT OF *KEEFE V. FAIRFAX COUNTY, VIRGINIA*, CIVIL ACTION NO. 99-1785-A** (Tape 8)

Supervisor Hyland moved that the Board settle the case of *Keefe versus Fairfax County, Virginia*, Civil Action No. 99-1785-A, on the terms and conditions outlined by the County Attorney in closed session. Supervisor Connolly seconded the motion, which carried by a vote of eight, Supervisor McConnell being out of the room, Supervisor Bulova being absent.

60. **APPROVAL OF CONTRACT OF SALE** (Tape 8)

Supervisor Frey moved that the Board approve the Contract of Sale for the properties located 13000 Lee Highway required for the construction of Regional Pond R-17 and authorize the execution of the said instrument by the County Executive. These properties are located in the Sully District, known as Tax Map Parcels 055-3-01-0027-A1 and 0027-B, and owned by the Estate of Audrey C. Niebert. Supervisor Hyland seconded the motion and it carried by a vote of eight, Supervisor McConnell being out of the room, Supervisor Bulova being absent.

61. **INITIATION OF LEGAL ACTION AGAINST PARTIES INVOLVED IN VIOLATIONS WITHIN THE LAKE MARTIN WATERSHED** (Tape 8)

Supervisor Frey moved that the Board approve the initiation of legal action against the parties involved in storm drainage landfall inadequacies and erosion and sediment control violations within the Lake Martin Watershed, and he further moved that the Board ask the Commonwealth of Virginia's Department of Conservation and Recreation to join the Board in taking appropriate legal action as outlined in the Department's letter to the County dated July 17, 2000. Chairman Hanley seconded the motion and it carried by a vote of eight, Supervisor McConnell being out of the room, and Supervisor Bulova being absent.

SBE:sbe

AGENDA ITEMS

62. **3 P.M. – BOARD DECISION ON A PROPOSAL TO PROHIBIT THROUGH TRUCK TRAFFIC ON BULL RUN POST OFFICE ROAD BETWEEN US ROUTE 29 AND THE LOUDOUN COUNTY LINE, AND ON STONE ROAD/POPLAR TREE ROAD BETWEEN US ROUTE 29 AND SULLY STATION DRIVE/SEQUIOA FARMS DRIVE (SULLY DISTRICT)** (Tape 9)

(Note: On June 26, 2000, the Board held a public hearing and deferred decision on this item until July 24, 2000.)

Supervisor Frey moved to:

- Defer decision on a proposal to prohibit through truck traffic on Bull Run Post Office Road between US Route 29 and the Loudoun County Line, and on Stone Road/Poplar Tree Road between US Route 29 and Sully Station Drive/Sequoia Farms Drive until **September 11, 2000, at 3 p.m.**
- Direct staff to send a letter, under the Chairman Hanley's signature, to the Virginia Department of Transportation, requesting it to proceed with the simulation studies as quickly as possible so that the Board will have enough information to make a decision on September 11, 2000.

Supervisor Connolly seconded the motion and it carried by a vote of seven, Supervisor McConnell and Supervisor Mendelsohn being out of the room, Supervisor Bulova being absent.

63. **3 P.M. – PH ON REZONING APPLICATION RZ 1999-PR-045 (VIVIAN JOHNSON) (PROVIDENCE DISTRICT)** (Tape 9)

Supervisor Connolly moved to defer the public hearing on Rezoning Application RZ 1999-PR-045 until **August 7, 2000, at 3 p. m.** Supervisor Hyland seconded the motion and it carried by a vote of seven, Supervisor McConnell and Supervisor Mendelsohn being out of the room, Supervisor Bulova being absent.

64. **3 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 99-P-042 (DALE SYKES) (PROVIDENCE DISTRICT)** (Tape 9)

Mr. William M. Baskin, Jr. reaffirmed the validity of the affidavit for the record. Mr. Baskin had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and he proceeded to present his case.

Following the public hearing, which included testimony by two speakers, Cathy Lewis, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Connolly moved **DENIAL** of Special Exception Application SE 99-P-042 due to the following:

- Unresolved access and stormwater management issues
- The intensity of use, traffic volume, noise and headlight glare associated with the proposed use
- Inadequate screening of unsightly material, equipment, and storage tanks from abutting residential properties

Supervisor Gross seconded the motion and it carried by a vote of seven, Supervisor McConnell and Chairman Hanley being out of the room, Supervisor Bulova being absent.

65. **3 P.M. – PH ON REZONING APPLICATION RZ 1999-PR-033 (M/I SCHOTTENSTEIN HOMES, INCORPORATED) (PROVIDENCE DISTRICT)** (Tapes 9 and 11- No Tape 10)

(O) Mr. Keith C. Martin reaffirmed the validity of the affidavit for the record.

Mr. Martin had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and he proceeded to present his case.

Supervisor Frey disclosed the following campaign contribution which he had received:

- In excess of \$200 from Bowman Consulting Group

Following the public hearing, which included testimony by six speakers, MaryAnn Godfrey, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Discussion ensued, with input from Keith Cline, Urban Forester II, Urban Forestry Division, Department of Public Works and Environmental Services, Kambiz Agazi, Environmental Coordinator for the County, and Mr. Martin, the latter of whom answered in the affirmative regarding understanding the limits of clearing and grading.

Supervisor Connolly moved:

- Amendment of the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 1999-PR-033 from the R-1 District to the R-4 District, subject to the execution of proffers dated July 19, 2000.
- Waiver of the minimum district size requirement and open space requirement for a cluster subdivision.
- Waiver of the trail requirement along Idylwood Road in favor of improvements to the existing trails, as approved by the Department of Public Works and Environmental Services in coordination with the Urban Forester.

Supervisor Kauffman seconded the motion and it carried by a vote of seven, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Kauffman, Supervisor McConnell, and Vice-Chairman Hyland voting "AYE," Supervisor Mendelsohn and Chairman Hanley being out of the room, Supervisor Bulova being absent.

Further discussion ensued with input from Mr. Martin.

66. **3:30 P.M. – PH ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF COUNTY ROAD BOND PROJECT - POHICK ROAD CONNECTOR (SPRINGFIELD AND MOUNT VERNON DISTRICTS)** (Tape 11)

- (R) A Certification of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that newspaper in the issues of July 6 and 13, 2000.

Following the public hearing, which included testimony by three speakers, Lisa Glass, Right-away Agent, Land Acquisition Division, Department of Public Works and Environmental Services (DPWES) presented the staff and Planning Commission recommendations.

Supervisor McConnell moved adoption of the Resolution authorizing the acquisition of the necessary property interests for the construction of County Road Bond Project 064147 - Pohick Road Connector. Supervisor Kauffman seconded the motion and it carried by a vote of six, Supervisor Frey, Supervisor

Gross, Supervisor Hudgins, Supervisor Kauffman, Supervisor McConnell, and Vice-Chairman Hyland voting "AYE," Supervisor Connolly, Supervisor Mendelsohn, and Chairman Hanley being out of the room, Supervisor Bulova being absent.

A brief discussion ensued, with input from Larry L. Ichter, Chief, Transportation Design Branch, Planning and Design Division, Office of Capital Facilities, DPWES.

67. **3:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING NOISE BARRIERS** (Tape 11)

- (O) A Certification of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that newspaper in the issues of July 6 and 13, 2000.

Following the public hearing, which included testimony by one speaker, John R. Bell, Assistant to the Zoning Administrator, Department of Planning and Zoning (DPZ), presented the staff and Planning Commission recommendations.

Supervisor McConnell moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), regarding noise barriers.

A brief discussion ensued, with input from Jane W. Gwinn, Zoning Administrator, DPZ, and Mr. Bell.

Supervisor Connolly seconded the motion and it **CARRIED** by a recorded vote of seven, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor Mendelsohn voting "NAY," Supervisor Kauffman being out of the room, Supervisor Bulova being absent.

68. **3:30 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 83-S-058 (FRIENDS OF FAIRFAX STATION, INCORPORATED) (SPRINGFIELD DISTRICT)** (Tape 11)

Ms. Joan A. Rogers reaffirmed the validity of the affidavit for the record.

Ms. Rogers had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and she proceeded to present her case.

Following the public hearing, which included testimony by one speaker, William Mayland, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor McConnell moved:

- Approval of Special Exception Amendment Application SEA 83-S-058, subject to the proposed development conditions dated July 5, 2000.
- Modification of the transitional screening and barrier requirements along the western and southeastern property boundaries adjacent to the RC District.

Supervisor Connolly and Chairman Hanley jointly seconded the motion and it carried by a vote of six, Supervisor Hudgins, Supervisor Hyland, and Supervisor Mendelsohn being out of the room, Supervisor Bulova being absent.

69. **3:30 P.M. - PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 7 (CENTRAL ABSENTEE VOTER ELECTION PRECINCTS), ARTICLE 2 (SPRINGFIELD DISTRICT)** (Tape 11)

Chairman Hanley announced that the public hearing on proposed amendments to the Code of the County of Fairfax, Chapter 7 (Central Absentee Voter Election Precincts), Article 2, had been cancelled.

70. **4 P.M. – PH ON REZONING APPLICATION RZ 2000-SU-004 (EQUITY HOMES, LP) (SULLY DISTRICT)** (Tape 11)

Supervisor Frey moved to defer the public hearing on Rezoning Application RZ 2000-SU-004 until **September 25, 2000, at 3 p.m.** Supervisor Connolly seconded the motion and it carried by a vote of six, Supervisor Hudgins, Supervisor Hyland, and Supervisor Mendelsohn being out of the room, Supervisor Bulova being absent.

71. **4 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 84-L-020-18, REZONING APPLICATION RZ 1999-LE-042, PROFFERED CONDITION AMENDMENT APPLICATION PCA C-448-23, AND REZONING APPLICATION RZ 1999-LE-073, (KINGSTOWNE COMMERCIAL LP) (LEE DISTRICT)** (Tape 11)

- (O) Ms. Erika L. Byrd reaffirmed the validity of the affidavit for the record.

Ms. Byrd had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and she proceeded to present her case.

Chairman Hanley disclosed the following campaign contribution which she had received:

- In excess of \$200 from Mr. Michael J. Giguere

Supervisor Kauffman disclosed the following campaign contribution which he had received:

- In excess of \$200 from Mr. Warren E. Halle

Following the public hearing, Peter Braham, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Kauffman moved:

- Approval of the Proffered Condition Amendment Application PCA 84-L-020-18 without proffers.
- Amendment of the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 1999-LE-042 from the PDC and NR Districts to the PDH-4 and NR Districts subject to the proffers dated June 21, 2000, consistent with those contained in Appendix One of the staff report, and approval of the conceptual development Plan.

Supervisor Connolly seconded the motion and it carried by a vote of seven, Supervisor Connolly, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor Frey and Supervisor Mendelsohn being out of the room, Supervisor Bulova being absent.

Supervisor Kauffman moved:

- Approval of Proffered Condition Amendment Application PCA C-448-23 without proffers.
- Amendment of the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 1999-LE-073 from the PDH-4 District to the PDC District subject to the execution of proffers dated July 18, 2000, and approval of the conceptual development plan.
- Approval of the associated conceptual development plan.

- Modification of the transitional screening yard and barrier requirements for Rezoning/Final Development Plan Application RZ/FDP 1999-LE-073 along South Van Dorn Street.

Supervisor Hyland seconded the motion and it carried by a vote of seven, Supervisor Connolly, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor Frey and Supervisor Mendelsohn being out of the room, Supervisor Bulova being absent.

72.

4 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATIONS PCA C-448-22 AND PCA 84-L-020-17 (KINGSTOWNE COMMERCIAL, LP) (LEE DISTRICT) (Tapes 11-12)

Ms. Erika F. Byrd reaffirmed the validity of the affidavit for the record.

Ms. Byrd had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and she proceeded to present her case.

Supervisor Kauffman disclosed the following campaign contribution which he had received:

- In excess of \$200 from Mr. Warren E. Halle

Chairman Hanley disclosed the following campaign contribution which she had received:

- In excess of \$200 from Mr. Michael J. Giguere

Following the public hearing, Cathy Lewis, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Kauffman moved:

- Approval of the Proffered Condition Amendment Application PCA C-448-22, subject to the execution of proffers dated June 21, 2000.
- Waiver of the transitional screening requirement along the south property line, as modified and shown on the FDPA.
- Waiver of the barrier along the south property.

- Approval of the Proffered Condition Amendment Application PCA 84-L-020-17, subject to the proffers dated June 21, 2000.

Supervisor Hyland seconded the motion and it carried by a vote of seven, Supervisor Frey, and Supervisor Mendelsohn, being out of the room, Supervisor Bulova being absent.

DAM:dam

73. **4:30 P.M. – PH ON REZONING APPLICATION RZ 1999-PR-060 (RIVER TOWERS BUILDING NUMBER THREE JOINT VENTURE) (PROVIDENCE DISTRICT)** (Tape 13)

Supervisor Connolly moved to defer the public hearing on Rezoning Application RZ 1999-PR-060 until **August 7, 2000, at 3 p.m.** Supervisor Hyland seconded the vote which carried by a vote of seven, Supervisor Frey and Supervisor Mendelsohn being out of the room, Supervisor Bulova being absent.

74. **4:30 P.M. – PH ON REZONING APPLICATION RZ 2000-MV-014 AND SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 99-V-001 (FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY) (MOUNT VERNON DISTRICT)** (Tape 13)

- (O) Mr. Jack B. Clark reaffirmed the validity of the affidavit for the record.

Mr. Clark had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and he proceeded to present his case.

Following the public hearing, Supervisor Hyland moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor Kauffman and carried by a vote of nine, Supervisor Bulova being absent.

Supervisor Hyland moved:

- Amendment of the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 2000-MV-014 from the R-2, R-8, CRD, and HC Districts to the R-8, CRD, and HC Districts subject to the proffers dated June 28, 2000.
- Approval of the Special Exception Amendment Application SEA 99-V-001, subject to the development conditions dated June 28, 2000.

- Reaffirmation of the waiver of the housing for the elderly, Additional Standard Number Ten, for minimum yard requirements for the northern and southern side yards.
- Reaffirmation of the waiver of the minimum R-8 district size requirements and reaffirmation of the waiver of the service drive requirements along Richmond Highway and a waiver of the loading space requirements.
- Reaffirmation of the modification of the transitional screening requirements along the southern, eastern, and northeastern periphery to that shown on the GDP/SEA plat.

Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Bulova being absent.

75. **4:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 00-Y-005 (DAMON HARWOOD COMPANY, INCORPORATED) (SULLY DISTRICT)** (Tape 13)

Mr. Carson Lee Fifer, Jr. reaffirmed the validity of the affidavit for the record.

Mr. Fifer had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and he proceeded to present his case.

Chairman Hanley disclosed the following campaign contribution which she had received:

- In excess of \$200 from Michael J. Giguere, partner at the law firm of McGuire, Woods, Battle and Boothe LLP

Following the public hearing, William Mayland, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Frey moved approval of the Special Exception Application SE 00-Y-005, subject to the development conditions dated June 20, 2000. Supervisor Hudgins seconded the motion and it carried by a vote of eight, Supervisor Hyland being out of the room, Supervisor Bulova being absent.

76. **4:30 P.M. – PH ON REZONING APPLICATION RZ 1999-PR-026 (ALD GROUP, INCORPORATED) (PROVIDENCE DISTRICT)** (Tape 13)

(O) Mr. Mark G. Jenkins reaffirmed the validity of the affidavit for the record.

Mr. Jenkins had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and he proceeded to present his case.

Supervisor Mendelsohn disclosed the following campaign contribution which he had received:

- In excess of \$200 from Sydney E. Albrittain of Dittmar Building Company.

Following the public hearing, Cathy Lewis, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Connolly moved:

- Amendment of the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 1999-PR-026 from the R-1 and R-2 Districts to the PDH-3 District, and approval of the conceptual development plan, subject to the execution of proffers dated July 18, 2000.
- Waiver of the 200 foot setback requirement from the right-of-way of an interstate highway for the existing dwelling only.
- Waiver of the limitation on fence height for the proposed noise wall, pursuant to paragraph eight of Section 16-401 of the Zoning Ordinance.
- Waiver of the dedication requirement for Morgan Lane.

Supervisor Gross seconded the motion, and it carried by a vote of nine, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Bulova being absent.

77. **5 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 00-H-016 (BRE/VCD ASSOCIATES, LLC) (HUNTER MILL DISTRICT)** (Tape 13)

Mr. Frederick R. Taylor reaffirmed the validity of the affidavit for the record.

Mr. Taylor had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and he proceeded to present his case.

Following the public hearing, William Mayland, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Hudgins moved:

- Approval of Special Exception Application SE 00-H-016, subject to the development conditions dated July 11, 2000.
- Approval of a modification of transitional screening requirements along the northern property boundary in favor of the screening shown on the Special Exception Plat and further described in the development conditions.
- Waiver of the barrier requirement along the northern property boundary of this subject's site.

Supervisor McConnell seconded the motion and it carried by a vote of six, Supervisor Connolly, Supervisor Frey, and Supervisor Hyland being out of the room, Supervisor Bulova being absent.

78. **5 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 00-D-006 (OAKCREST SCHOOL, INCORPORATED) (DRANESVILLE DISTRICT)** (Tape 13)

Mr. Keith C. Martin reaffirmed the validity of the affidavit for the record.

Mr. Martin had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and he proceeded to present his case.

Following the public hearing, which included testimony by one speaker, MaryAnn Godfrey, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Mendelsohn moved:

- Approval of Special Exception Application SE 00-D-006 subject to the development conditions dated July 18, 2000, as modified as follows:
 - Development condition number 6 will add:

“The school shall not lease the facilities to any third party not affiliated with or sponsored by the school.”
 - Development condition number 7 will add:

“Within 90 days of the Board of Supervisors’ approval of the Special Exception, transitional screening requirements along Balls Hill Road shall be modified to permit the existing landscaping . . .”
 - Development condition number 13 will add:

“Within 180 days of the Board of Supervisors’ approval, the trash dumpster shall be fully screened from view . . .”
 - Development condition number 22 will be modified to:

“The school shall send written notice to the Dranesville District Supervisor’s Office, the McLean Citizens’ Association (MCA), the 24 residences on Holyrood Drive, and to the North McLean Neighborhood Preservation Coalition (NMNPC) at an address to be provided to the Dranesville District Supervisor’s Office by NMNPC six months prior to filing any amendments to this Special Exception.”

Supervisor Mendelsohn further moved:

- Modification of the transitional screening requirements along the east, subject to the proposed development conditions dated July 18, 2000.
- Waiver of the barrier along Balls Hill Road.

- Modification to allow an outdoor recreation area to be located in a required front yard, in accordance with Section 9-310 of the Zoning Ordinance.

Supervisor Kauffman seconded the motion and it carried by a vote of eight, Supervisor Hyland being out of the room, Supervisor Bulova being absent.

ADDITIONAL BOARD MATTER

79. **UPCOMING BOARD MEETING** (Tape 13)

Chairman Hanley announced that the Board will meet again in two weeks (August 7, 2000), with a Transportation Committee Meeting scheduled for 8 a.m.

80. **BOARD ADJOURNMENT** (Tape 13)

At 6:05 p.m., the Board adjourned.

Index

AGENDA ITEM	Page
Presentations: Certificates/Proclamations.....	2-3
Appointments.....	3-12
Items Presented by the County Executive	
Administrative Items.....	12-14
Action Items	14-15
Information Items	15-16
Board Matters	
Chairman Hanley	1, 16-19, 30, 31, 44
Supervisor Bulova	N/A
Supervisor Connolly.....	1, 22
Supervisor Frey	24-26
Supervisor Gross	20
Supervisor Hudgins.....	21
Supervisor Hyland	28-30
Supervisor Kauffman.....	23-24
Supervisor McConnell	26-28
Supervisor Mendelsohn	1, 19-20
Actions from Closed Session	31
Public Hearings.....	32-44